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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/850,067	05/08/2001	Po-Sheng Shih	SUND 194	9155
23995	7590	12/01/2004	EXAMINER	
RABIN & Berdo, PC 1101 14TH STREET, NW SUITE 500 WASHINGTON, DC 20005			SAFAIPOUR, HOUSHANG	
			ART UNIT	PAPER NUMBER
			2622	

DATE MAILED: 12/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/850,067	SHIH ET AL.
	Examiner Houshang Safaipour	Art Unit 2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-19 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 08 May 2001 is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

DETAILED ACTION

Drawings

New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because coordinates of point 326 should be (X₂,Y₂). Applicant is advised to employ the services of a competent patent draftsperson outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Tsai (U.S. Patent No. 6,229,629).

Regarding claim 1, Tsai discloses a method for positioning a scanning starting point of an image scanning apparatus, wherein the image scanning apparatus comprises a platen having an orthogonal X-Y coordinate system and for a document to be placed thereon, a carriage disposed in the image scanning apparatus and moving along a Y direction from a starting line for capturing an image of the document to be scanned, and a plurality of marks inside the image scanning apparatus for indicating different Y coordinate values, an X-axis being defined by a

first wide margin of the platen and a Y-axis being defined by a first long margin of the platen, the method comprising the following steps: (a) choosing one of the marks as a reference point, which is the nearest mark to the document to be scanned; (b) obtaining a vector from an image starting point of the document to be scanned to the reference point; and (c) moving the carriage to the reference point, which is chosen as a starting point, and proceeding to scan (figs. 3 & 4, col. 4 line 1 through col. 5 line 24).

Regarding claim 2, Tsai discloses, the method according to claim 1, wherein the magnitude of the vector is the difference in magnitude between the image starting point and the reference point (fig. 4, col. 4 line 37 through col. 5, line 24).

Regarding claim 3, Tsai discloses, the method according to claim 2, wherein the coordinates of the vector are (x, y) in the step (b), the coordinates of the image starting point are (x.sub.n+x, y.sub.n+y) when the coordinates of the image starting point are (x.sub.n, y.sub.n) (figs. 3 & 4, col. 4 line 1 through col. 5 line 24).

Regarding claim 4, Tsai discloses, the method according to claim 3, wherein the carriage in step (c) starts to scan from the position with an X coordinate value of x.sub.n+x (fig. 4).

Regarding claim 5, Tsai discloses, the method according to claim 1, wherein some of the marks have negative Y coordinate values (fig. 3, all points under point at home position (0,0)).

Regarding claim 6, Tsai discloses, the method according to claim 1, wherein the marks are located at a second long margin of the platen (figs. 3 & 4).

Regarding claim 7, Tsai discloses, the method according to claim 1, wherein the marks have the same X coordinate value (fig. 3).

Regarding claim 8, Tsai discloses, the method according to claim 1, wherein the intersection of the X-axis and Y-axis is an origin and the image starting point is the nearest point to the origin among the points located within the image (fig. 3).

Regarding claim 9, Arguments analogous to those presented for claim 1 are applicable to claim 9.

Regarding claim 10, Tsai discloses, an apparatus for positioning a scanning starting point of an image scanning apparatus, comprising: a platen for a document to be placed thereon and having an orthogonal X-Y coordinate system, wherein the X-Y coordinate system comprises an X-axis defined by a first wide margin of the platen and a Y-axis defined by a first long margin of the platen; a carriage disposed in the image scanning apparatus and moving along the Y direction from a starting line for capturing an image of the document to be scanned; and a plurality of marks inside the image scanning apparatus for indicating different Y coordinate values as the reference points for the carriage to capture the images of the document to be scanned (fig. 3, image pick up device 311).

Regarding claim 11, Tsai discloses, the apparatus according to claim 10, wherein the marks are located at a second long margin of the platen (figs. 3 & 4).

Regarding claim 12, Tsai discloses, the apparatus according to claim 10, wherein the marks are lines perpendicular to the Y direction (fig. 3).

Regarding claim 13, Tsai discloses, the apparatus according to claim 10, wherein the marks are rectangles, and one corner of one rectangle is chosen as the reference point (fig. 4, JEBA).

Regarding claim 14, Tsai discloses, the apparatus according to claim 10, wherein the marks are isosceles right-angled triangles, one of two equal sides of the isosceles right-angled triangle is parallel to X-axis while the other is parallel to Y-axis, and one corner with the bigger Y coordinate value of one isosceles right-angled triangle is chosen as the reference point (fig. 4, triangles AJK & BEU).

Regarding claim 15, Tsai discloses, the apparatus according to claim 10, wherein the marks are crosses, and the intersection of one cross is chosen as the reference point (fig. 4).

Regarding claim 16, Tsai discloses, the apparatus according to claim 10, wherein the platen is made of glass (platform 32).

Regarding claim 17, Tsai discloses, the apparatus according to claim 10, wherein the marks are located in a marking group area (fig. 3).

Regarding claim 18, Tsai discloses, the apparatus according to claim 10 further comprising a casing for protecting the apparatus (fig. 3).

Regarding claim 19, Tsai discloses, the apparatus according to claim 18 further comprising a groove inside the casing for placing and steadyng the marking group area (fig. 3).

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Houshang Safaipour whose telephone number is (703)306-4037. The examiner can normally be reached on Mon.-Thurs. from 6:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L Coles, Sr. can be reached on (703)305-4712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Houshang Safaipour
Patent Examiner
Art Unit 2622
November 23, 2004



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